



Switzerland

International Religious Freedom Report 2005

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religions in society contributed to religious freedom. However, negative reaction to immigration, the conflict in the Middle East, and terrorist acts by Muslim extremists in foreign countries, have increased intolerance in radical and populist publications and occasionally in mainstream daily newspapers.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 15,942 square miles, and its population is an estimated 7.21 million. Three-quarters of the population nominally adhere to either the Roman Catholic or Protestant churches, but actual church attendance rates are much lower. The Muslim population is the largest religious minority, making up approximately 4 percent of the resident population. More than 11 percent of citizens claim no formal allegiance to any church or religious community.

The breakdown between the different religious denominations has shifted noticeably over the past several years. Traditionally, more than 95 percent of the population had been split evenly between the Swiss Protestant Church and the Roman Catholic Church, but since the 1970s, there has been a steady increase of persons formally renouncing their church membership. In the Roman Catholic Church, immigration from southern Europe has countered this trend. The arrival of immigrants from other areas has contributed to the noticeable growth of religious communities that had little presence in the country in the past. According to the Government's Statistics Office, membership in religious denominations is as follows: 41.8 percent Roman Catholic; 33.0 percent Protestant; 1.8 percent Orthodox; 0.2 percent Old Catholic; 0.2 percent other Christian groups; 4.3 percent Muslim; 0.2 percent Jewish; 0.8 percent other religions (Buddhist, Hindu, and other); 11.1 percent possess no formal creed.

According to official statistics, the Muslim population has doubled to more than 310,000 over the past several years. Muslim immigrants from North African countries typically settled in the French-speaking western part of the country, whereas those arriving from Turkey, Albania, Kosovo, and Bosnia commonly relocated in the German-speaking eastern and central parts. There are only two major mosques, one in Zurich (built in 1963 and belonging to the Ahmadiyah movement) and one in Geneva (built in 1978 and financed by Saudi Arabia). There are approximately 120 Muslim centers located throughout the country in private homes or office complexes.

Approximately three-quarters of the Jewish households are located in the urban areas of four major cities: Zurich, Geneva, Basel, and Bern. There are four distinguishable Jewish subgroups: orthodox; conservative; liberal; and reform. An estimated 15 percent of Jews belong to the Orthodox branch.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. The Government at all levels strives to protect this right in full and does not tolerate its abuse, either by governmental or private actors.

Article 15 of the Constitution provides for freedom of creed and conscience, and the Federal Penal Code prohibits any form of

debasement or discrimination of any religion or any religious adherents.

There is no official state church; religious matters are handled by the cantons, according to Article 72 of the Constitution. Most of the 26 cantons (with the exception of Geneva and Neuchatel, where church and state are separated) financially support at least one of the three traditional communities--Roman Catholic, Old Catholic, or Protestant--with funds collected through taxation. Each canton has its own regulations regarding the relationship between Church and State. In some cantons, the church tax is voluntary, but in others an individual who chooses not to contribute to church tax may have to leave the church formally. In some cantons, private companies are unable to avoid payment of the church tax. Some cantons grant "church taxation" status, which the traditional three Christian communities enjoy, to the Jewish community. Islamic and other nonofficial religious groups are excluded from these benefits.

On February 27, 2005, voters in Zurich canton comfortably adopted a new Cantonal Constitution that grants the three traditional Christian communities greater autonomy in regulating their internal affairs. The new Constitution also grants official recognition to two local Jewish communities but does not provide for the raising of funds through taxation as with the three Christian communities. Neither does the new Constitution provide for the official recognition of Islam or other religious communities. Previously in 2003, voters had rejected an amendment to the old Cantonal Constitution that would have provided for the recognition of nontraditional religious communities and allowed them to levy a tax on their members and to receive public funds. According to a local polling institute, the main reason for the amendment's defeat at the polls was its provisions for granting Islam recognition as an official religion under cantonal law.

A religious organization must register with the Government in order to receive tax-exempt status.

In May 2004, the Federal Council (cabinet) decided to appoint an ambassador to the Vatican in order to establish full diplomatic relations with the Holy See. Although a Papal Nuncio has resided in Bern since 1920, the country appointed an ambassador-at-large "in special mission" to the Holy See only in 1991.

Groups of foreign origin are free to proselytize. Foreign missionaries must obtain a "religious worker" visa to work in the country. Visa requirements include proof that the foreigner would not displace a citizen from doing the job, has formally completed theological training, and would be supported financially by the host organization. The host organization has to acknowledge the Swiss legal order and must not tolerate its abuse by its members neither in theory nor in practice. At the end of 2004, there were 13 ordained clergymen, and 85 non-ordained religious employees working on short-term permits in the country.

Religious education is taught in most public cantonal schools, with the exception of Geneva and Neuchatel. Classes in Roman Catholic and Protestant doctrine are normally offered, but some schools cover other religious groups living in the country. In Lucerne canton, two municipalities have offered religious classes in Muslim doctrine since 2002. In some cantons religious classes are entirely voluntary, but in others they form part of the curriculum, although waivers are routinely granted to children of parents who request them. Those of different faiths are free to attend classes for their own creeds during the class period. Parents may also send their children to private religious schools and to classes offered by their church, or they may teach their children at home.

Recently a number of cantons have reformed religious education in public schools to either complement or entirely supplant traditional classes in Christian doctrine with non-confessional teachings about religion and culture. French-speaking primary schools in Fribourg, Vaud, Wallis, Jura, and Bern have adopted a new religious tutorial that gives prominent coverage to non-Christian denominations as well. In Wallis, opponents of the new tutorial filed a petition with the local parliament to stop its introduction, but after additional consultations, the cantonal government confirmed its use in primary schools beginning school year 2004-05. In the central part of the country, authorities in a number of cantons decided to complement religious classes being offered by the individual religious communities with secular teachings about ethics and religion. In Zurich, the government's board of public education in August 2004 decided to introduce a new subject, Religion and Culture, to secondary schools, which would expose pupils to all major religious traditions with no precedence given to any one of them. By exposing pupils to different religious traditions, authorities hope to foster inter-confessional understanding and tolerance in a multi-cultural society. Textbooks and the curriculum are being drafted and the training of lay teachers is being prepared. Classes are scheduled to begin in school year 2007-08. The Canton of Basel is contemplating similar steps but has not yet taken any firm decisions. In virtually all cantons contemplating or implementing reform, authorities plan to make the non-confessional teachings about religion and culture a non-elective part of the curriculum for all pupils.

The debate over the country's World War II record contributed to the problem of anti-Semitism. To counter anti-Semitism and racism, the Federal Department of the Interior set up, in 2001, a Federal Service for the Combating of Racism to coordinate antiracism activities of the Federal Administration with cantonal and communal authorities. This Federal Service manages a project fund of \$11.1 million (15 million Swiss francs) to use over a 5-year period. By the end of 2004, the Federal Service had supported over 400 projects to combat racism, including some projects specifically addressing the problem of anti-Semitism. The Federal Service for the Combating of Racism will continue to support anti-racism activities after the project fund expires at the end of 2005 but only dispose an annual budget of \$900,000.

Of the 14 political parties represented in the Federal Parliament, only 4 (the Christian Democratic Party, the Evangelical People's Party, the Federal Democratic Union, and the Christian Social Party) subscribe to a religious philosophy. There have been no reports of individuals being excluded from a political party because of their religious beliefs.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

There have been several reports of Swiss authorities taking measures to prevent or stop Muslim clerics from spreading religious notions that clash with basic precepts of the Swiss legal order.

The Federal Office of Migration in a precedent case rejected the 2003 work permit applications for two Islamic clerics that the Islamic Center in Geneva had filed with local authorities, because of the extremist views of the Islamic Center's leader, Hani Ramadan. The decision was appealed to the Justice Ministry's appeals body and remained pending at the end of the period covered by this report.

In November 2004, Basel authorities asked a Muslim imam to depart the country after learning that the Saudi national in a local Muslim school had justified some form of domestic violence based on teachings of the Koran. Basel follows a zero-tolerance policy regarding the interpretation in public of religious texts that violate the Swiss Constitution or federal or cantonal law.

In May 2005, a Geneva administrative court ordered the Cantonal Government to recognize Hani Ramadan's status as public servant and resume paying his salary. Ramadan had been suspended from his duties as public school teacher in the fall of 2002 following the publication of an article in the French newspaper "Le Monde" in which he favored the stoning of adulterers as set out in Islamic law (Shari'a). Ramadan, who heads the Islamic Center in Geneva, was dismissed in 2003 following an administrative investigation but he successfully appealed the decision. However, following a second investigation, the Geneva Cantonal Government, confirmed Ramadan's dismissal and removed him from the cantonal payroll in December 2004. The Cantonal Government stated its intention to honor the administrative court ruling but not to re-instate Ramadan in his former teaching duties.

The European Court of Human Rights has upheld the Canton of Geneva's decision to prohibit a Muslim primary school teacher from wearing a headscarf in the classroom. The Court found that the legal provisions did not discriminate against the religious convictions of the complainant, but were meant to protect the rights of other subjects as well as the public order.

Ritual slaughter (the bleeding to death of animals that have not been stunned first) has been banned in the country since 1893, but the 1978 Law on the Protection of Animals explicitly allows for the importation of kosher and halal meat. Imported kosher and halal meat from France and Germany is available in the country at comparable prices. A popular initiative to protect animal rights that if passed would prohibit the import of meat from animals bled without stunning was filed in 2003. In June 2004, the government negatively reviewed the initiative as a potential violation of the European Convention of Human Rights. Parliament has followed the government and recommended rejection of the popular initiative in the pending national poll.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Improvements in Respect for Religious Freedom

The country participated in the April 2004 conference sponsored by the Organization of Security and Cooperation in Europe (OSCE) on anti-Semitism in Berlin. Franz von Däniken, the State Secretary for Foreign Affairs, highlighted the various ways the country was confronting anti-Semitism. He condemned all forms of racism and anti-Semitism and fully endorsed the OSCE measures to promote tolerance and nondiscrimination.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom.

In July 2004, senior leaders of the country's Christian, Jewish and Muslim communities met in Bern to engage in interfaith dialogue and to discuss common problems. One of the items discussed was the controversy surrounding the public display of religious symbols. The religious leaders also created plans to establish a permanent platform for interfaith dialogue to further mutual trust and respect among religions.

On January 23, 2005, representatives of ten Christian denominations in the country signed the Charta Oecumenica, an

ecumenical charter on closer cooperation in Europe, after a televised inter-confessional service in the church of St Ursanne in northwestern Switzerland. The text of the charter, which was drawn up in 2001 by representatives of the Roman Catholic, Protestant and Orthodox traditions, mentions the need for Christian unity in Europe and aims at a common approach to spreading the Christian faith. However, in November 2004, the Swiss Federation of Protestant Churches had instructed its ministers not to administer Holy Communion jointly with Roman Catholic clergy. The recommendation came only months after the Vatican's instruction "Redemptionis Sacramentum", which reaffirmed the exclusion of non-Catholics from the celebration of Holy Communion.

The Swiss Observatory of Religions based in Lausanne believes that anti-Islamic and anti-Semitic feelings have increased over the last decade. In a statement following the arson attack on the Lugano synagogue, the Federal Commission against Racism observed that the climate against members of religious minorities and their institutions has deteriorated in general. Although physical violence was rare, most anti-Semitic and anti-Muslim remarks have largely been fueled by extensive media reports over the Israeli-Palestinian conflict, the Holocaust Assets issue, and terrorist acts by Muslim extremists in foreign countries.

During the night of March 13/14, 2005, two arson attacks were launched in the city of Lugano in the southern canton of Ticino against the synagogue and a clothing store owned by a Jewish family. The blazes completely destroyed the clothing store and severely damaged the ground floor beneath the main sanctuary of the synagogue, ravaging most of its library holdings, and causing damages of 300,000 Swiss francs. No one was hurt in either incident. Police later arrested a middle-aged Italian national with a mental condition who confessed to the arson attacks; his claim was supported by DNA evidence. Four days after the arrest, the Ticino cantonal prosecutor publicly stated that the perpetrator had acted alone without any apparent connection to other individuals and ruled out overtly anti-Semitic motives for the two arson attacks. She pointed out that the suspect had committed a third arson attack the same night that appeared to have no religious connotation. The Ticino prosecutor's comments caused a minor storm of indignation among out-of-canton Jewish groups and religious freedom advocates, who doubted the alleged absence of anti-Semitic motives. The psychiatric evaluation later corroborated that the suspect had not acted out of anti-Semitic motives but had been settling personal scores.

The arson attack in Lugano was the first time in living memory that a house of worship had been set ablaze in the country; recent attacks on Swiss synagogues had been restricted to acts of vandalism and anti-Semitic graffiti smeared on walls. A day later, Swiss president Samuel Schmid attended the inauguration of the new museum at Israel's Holocaust memorial Yad Vashem, condemned the arson attacks and pledged Government support for the investigation and in fighting anti-Semitism in general. On March 17 2005, a sizeable group of over 1000 people, including representatives of all major religious communities, gathered in Lugano to express their support for the Jewish community and to condemn the attacks.

On the night of April 16/17, 2005, vandals spray-painted anti-Semitic graffiti on the walls and on a Holocaust memorial just outside of the Grand Synagogue in Geneva. Cantonal authorities condemned the vandalism and opened an investigation. In mid-May, unknown vandals desecrated a dozen tombs of the cemetery of the Jewish community of Vevey-Montreux, where several survivors of the Holocaust who later found refuge in Vevey are buried. This third attack on a highly visible Jewish target worried Jewish groups, who expressed hope that the culprits will soon be apprehended and punished.

From 2003 to December 2004, the Geneva-based Intercommunity Center for Coordination against anti-Semitism and Defamation recorded 34 acts of anti-Semitism in the western half of the country, ranging from verbal and written assaults to offensive graffiti and acts of vandalism against Jewish property. The president of the Swiss Confederation of Jewish Communities stated that violent acts against members of the Jewish community and Jewish property had increased over the past decade.

In his radio and television address on May 8, 2005 commemorating the 60th anniversary of the end of the Second World War in Europe, President Schmid stated that it behooves each and every one to resolutely oppose all totalitarian and extremist endeavors as well as all forms of racism or anti-Semitism.

The national referendum campaign on two constitutional amendments to facilitate the naturalization of second- and third-generation immigrants carried racist and anti-Islamist undertones. Opponents of easing restrictions on granting Swiss citizenship ran a controversial advertisement that by using extrapolated population figures suggested that the Muslim community would double in size every 10 years and the country hence become a majority Muslim country by 2040. The electorate rejected both constitutional amendments in September 2004.

In the Federal Parliament, the right-wing Swiss People's Party (SVP/UDC), nominally the strongest faction, tabled two motions to abolish the Federal Commission against Racism and to erase the anti-racism clause from the federal Penal Code, which criminalizes racist or anti-Semitic action or expression, whether in public speech or in printed material. Both motions have yet to be debated in Parliament.

According to statistics gathered by the Foundation against Racism and Anti-Semitism, the total of reported incidents against foreigners or minorities was 101 in 2004, down from 111 incidents recorded in 2003. These figures include instances of verbal and written attacks, which were much more frequent than physical assaults.

In March 2004, a study released by the Zurich University found no evidence of anti-Semitism in the country's German language media, but noted that newspapers and electronic media often resorted to questionable stereotypes. The study also said that Muslims were more likely to be portrayed as aggressors and as uneducated people who are opposed to democracy. The report

was based on a survey of the media in the German-speaking part of the country.

In April 2004, the Zurich lawyer and honorary chairman of the Jewish religious community, Sigi Feigel, sued the political party Europa Partei Schweiz, claiming that it sponsored newspaper advertisements comparing Israel to Nazi Germany. The party, which is not represented in Parliament, ran advertisements in the daily "Tages-Anzeiger" the day after the killing of Hamas leader Abdel Aziz Rantisi calling on the country to cut off diplomatic relations and end military cooperation with Israel. The advertisements referred to "Israel, nation of the Jews" and stated, "with the exception of the gas chambers, all the Nazi instruments are being used against (Israel's) resident population." The case remained pending before the cantonal prosecutor at the end of the period covered by this report.

On January 27, 2005, schools across the country held a day of remembrance for victims of the Holocaust. Attendance rates remained mixed but activities significantly increased compared to the first commemoration in 2004. Education authorities said the aim was to remember the Holocaust and other forms of genocide committed in the past century and raise awareness of inhumane ideologies.

Fear of radical Islam in the country was reflected in various media reports on supposed radical Islamic rhetoric in mosques. Many imams in the country come from Kosovo, Bosnia, the Middle East, or Maghreb countries. They are often self-taught persons or trained in Muslim countries, mainly Saudi Arabia. Officially, the country has two large mosques, in Geneva and Zurich, and approximately 120 prayer rooms. It is believed that another 100 rooms exist, many of which belong to the Albanian, Turkish, or Arab communities and are controlled by imams under Salafist influence, which escape tight federal and cantonal control. Prayer rooms are legal as long as they do not provide personnel or financing to terrorist networks. Religious associations are required to register only if their earnings reach approximately \$74,000.

On October 8, 2004, a 45 year-old African national entered the Islamic Center in Lausanne during Friday prayers and attacked the imam with a knife, seriously injuring him and a nearby worshiper in the stomach. The assailant had the knife taped to his hand, and in the ensuing scuffle injured another six persons, including himself, before he could be overwhelmed by by-standers and apprehended by the police. According to police, the assailant had escaped from a hospital where he was undergoing psychiatric evaluations. Vaud judicial authorities opened an investigation that remained pending at the end of the period covered by this report.

There have been several reports of resident members of the Muslim community expressing concern or alerting Swiss authorities of foreign imams giving radical speeches in mosques or local prayer rooms. The Muslim imam asked to depart from Basel canton in November 2004 for justifying some form of domestic violence was denounced by members of the local Muslim community. The former imam of the Islamic Center in Zurich, Youssef Ibram, stated that the storm of indignation following an interview with a Swiss-French magazine of November 2004, in which he refused to take an unequivocal stance against the stoning of adulterers damaged his relations with the leadership of the community and left him no choice but to resign from his position. In April 2004, Swiss Muslims in Geneva complained that foreign imams invited to the Great Mosque of Geneva for a prayer were giving radical speeches, sometimes filled with invective against the Jewish population and western countries.

In June 2005, the local Association of Muslim Organizations in Zurich made public a charter adopted in March committing its 15 member societies to uphold the established legal order and democracy. The charter calls for the peaceful coexistence of and dialogue between different cultures and religions, rejects violence, and demands respect for human rights and equality. The charter calls on members of the Muslim communities to integrate themselves into society and become actively engaged for the common good.

Efforts to set up a training program in the country for Muslim clerics and religious teachers took a step forward in Basel, where cantonal authorities and the local university plan to establish a chair for Muslim history and theology. In 2004 the university held exploratory talks with the Vienna-based Academy for Islamic Religious Education, but private financing for the chair has not yet been assured. In November 2004 the Conference of Swiss Bishops and the Swiss Protestant Church Federation both publicly endorsed the idea that imams who lead prayers in Swiss mosques should be trained at Swiss universities. However, the Federal Council (cabinet) cautioned that the training for a specific profession was not a priority at the university level.

The Federal Office of Migration has acknowledged that the training of imams poses a problem. Some cantons refused to grant a residency permit to imams considered fundamentalists. An updated version of the Law on Foreigners, being debated in Parliament at the end of the period covered by this report, will provide for mandatory training for immigrant clerics in order to facilitate their integration in society. Among other provisions, the training program will ensure that immigrants can speak at least one of the three national languages (French, German, or Italian).

While Muslim and Jewish cemeteries already exist in the country, two laic cantons (Geneva and Neuchatel) require that all individuals from religious communities be buried in state-owned cemeteries only. Both Jewish and Muslim communities have protested that this restriction breaches their freedom of religion and incurs higher costs. Islam prohibits Muslims from being buried in cemeteries with those of other religions, and Geneva Muslims protest that they are forced to pay expensive repatriation costs to send their deceased by plane to a Muslim country. It is estimated that between 90 and 95 percent of deceased Muslims in Geneva are sent to their countries of origin for burial.

Other religious customs such as genital mutilation of children, forced marriage, or "repudiation" of a marriage are illegal.

In April 2004, Muslim leaders expressed fears of a "witch-hunt" against the community, following government revelations that members of half a dozen militant Muslim groups are operating secretly in the country. These fears were increased in January 2004, when police arrested eight foreign nationals suspected of links to 2003 terrorist attacks in Saudi Arabia. The Federal Refugee Office (FRO) later confirmed press allegations that these radical Islamic groups included the Tunisian Islamic Front, the Palestinian militant Islamic group Hamas, and Algeria's Islamic Salvation Front. The FRO admitted that the Government had become more sensitive to potential threats in the wake of the September 11, 2001, attacks in the United States, but denied that the authorities were involved in any systematic targeting of the country's Muslims.

There were no reports of difficulties for Muslims buying or renting space to worship but some Islamic centers continued having difficulties accommodating the growing number of faithful attending Friday's prayers. Although occasional complaints arise, such as a Muslim employee not being given time to pray during the workday, attitudes generally are tolerant toward Muslims. In one poll from November 2004, 76 percent of Swiss residents surveyed did not feel threatened by the presence of the 300,000-strong Muslim community living in the country, as opposed to 16 percent who did feel threatened. 61 percent favored a university chair to form Islamic imams in Switzerland and 53 percent approved of female members of the Muslim community wearing the headscarf to work. In a separate survey of the Muslim community living in the country, 84 percent of the respondents said they felt accepted in the country, with 79 percent declaring they have never been discriminated against because of their religion.

The place of the Islamic headscarf in Swiss society was an issue of public debate. The country's biggest retailer made headlines in October 2004 when it became public that it had put on hold a request made in August by one of its female employees at a Zurich store to wear her headscarf to work. The retailer in November 2004 granted the request, stating that it would not impose a general ban but decide each case on individual merits. The second biggest retailer, on the other hand, announced that its dress code did not provide for any headgear and that it would hence not allow the wearing of the headscarf. In Basel, the candidacy of a young woman in the October 2004 elections to the cantonal parliament who publicly affirmed her intention to continue to wear the headscarf if elected re-kindled the debate over the headscarf in public office. In November 2004, a local conservative party launched a popular initiative to ban all public sector employees or holders of public office from wearing the headscarf on duty. Federal Councilor Moritz Leuenberger publicly opposed an outright ban of the headscarf and warned that such a ban could hamper integration of Muslim women in Swiss society.

Many nongovernmental organizations coordinate interfaith events throughout the country.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The U.S. Embassy discusses religious freedom issues with government officials and representatives of the various faiths.

Released on November 8, 2005

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